THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5303 of 2007

Between:

A.J.Abdul Khadar. … Petitioner

and

The Government of Andhra Pradesh,
and others. … Respondents

ORDER:

It is the case of the petitioner that he is a tenant in respect of premises bearing Door No.22-9-50 situated at Block No.1, T.S.No.117 of Guntur Town. To evict the petitioner, the 5th respondent and his mother filed R.C.C.No.39 of 2003 on the file of Rent Controller, Guntur, but the same was dismissed for default on 09-07-2004. They have also filed O.S.No.45 of 2006 on the file of III Additional Junior Civil Judge, Guntur, for recovery of rents in respect of the said premises and the same is pending.

It is further stated that the petitioner also filed O.S.No.119 of 2006 on the file of Senior Civil Judge, Guntur, against the 5th respondent and his mother and the same is pending.

While so, at the instance of the 5th respondent, the 3rd and 4th respondents started interfering with the civil disputes of the petitioner and they are also trying to evict him from the premises in question.

I am of the opinion that if any police official interferes with the civil disputes of the petitioner, without there being any complaint alleged that cognizable offence has been committed, it is always open for the petitioner to make complaint against respondents 3 and 4 before the Superintendent of Police. But, without making any complaint with regard to the alleged illegal action on the part of respondents 3 and 4, it is not just and proper for this court to issue a Writ of Mandamus.

Accordingly, the writ petition is dismissed with a liberty to the petitioner to take appropriate action in accordance with law. There shall be no order as to costs.

15-03-2007

Prv